

Policies on Requirement & Search Letters

Dear 8(a) Participant:

In recent months the New Jersey District Office's 8(a) Business Development staff has received many requests to send search and requirement letters to federal procurement agencies on behalf of our 8(a) firms. SBA recognizes that this is a part of the business development assistance SBA tries to provide 8(a) firms, but with a sizable number of 8(a) firms in the New Jersey District Office portfolio along with a small staff, we must advise you of the information that your Business Development Specialist(BDS) needs to effectively assist you.

There are (2) different types of marketing letters that SBA can send to government agencies on your behalf:

Search Letters: This is a generic letter, not specifically mentioning any particular potential contract opportunity that introduces the 8(a) firm to the agency and asks them to search for potential work for a particular 8(a) firm. These letters, which are usually accompanied by a firm's capability statement and/or brochure, are not particularly useful since most buying activities don't have the staff needed to accomplish these searches anymore. They are usually "filed" and go unanswered. A better tool is for you to **personally contact and/or visit** buying activities to present your credentials. In this regard, marketing for 8(a) work is very similar to the private sector marketing that you do.

Requirement Letters: This is a more specific letter written on behalf of a particular firm, asking for a specific requirement to be set-aside for that firm on a sole-source basis. A requirement letter identifies a specific requirement and requests the procuring activity to offer it to the 8(a) program on your behalf. You must clearly identify the requirement sought by project name and/or number, if available.

Before sending a Requirement Letter on behalf of a particular participant, that participant must advise their BDS, where and how the firm learned of the requirement, the firm's suitability for the requirement, along with a description of its **own efforts to market the requirement**. Since 8(a) firms are required to do self-marketing, you must make some effort on your own to obtain the potential requirement **before** asking your BDS for assistance. We also require that you provide us detailed information on the firm's suitability for the requirement (e.g., previous contracts for the same or similar supply or service). If the requirement is for construction, make sure your firm has the required bonding capacity. Again, make sure to provide your BDS with copies of your firm's marketing brochures, typed capability statement, etc. **If identified from FedBizOpps, you must send us a copy of the FedBizOpps announcement** with your request for the search letter along with the above information. If the announcement is for a sources

sought, you must comply with any request for information contained in the announcement, in a timely and complete manner, **before** we send the letter. We will not honor any request for Requirements Letters unless all of the foregoing information is provided to your BDS.

Make sure your CCR/Dynamic Small Business Search profile is current and updated no less than annually. Any profile that has not been updated with eighteen (18) months will not appear in any search done by an agency.

Remember that you need to be out marketing all the time! If it's in FedBizOpps as anything other than a source sought, it's usually too late to go 8(a) as the agency's procurement plan is already set. You should identify potential requirements **before they hit FEDBIZOPPS** for requirement letters to be effective. You also need to realize that if you've seen it in FedBizOpps, so have hundreds of other firms! **Please remember that the sending of a search letter on your behalf does not guarantee that the project will be set-aside for you!**

Remember that not all requirements can be contracted as Sole Source requirements matched with a particular 8(a) firm. Requirements that exceed the 8(a) competitive thresholds must be competed among eligible 8(a) firms. Requirements that exceed \$3.5 million for construction and services and \$5.5 million for supplies must be competed. Also keep in mind that SBA cannot accept procurement for award under the 8(a) program if the following circumstances exist: a) the requirement has been set-aside for small business or small disadvantaged business competition; b) adverse impact on another small business will result from acceptance of the requirement.

Since SBA's regulations require that 8(a) firms must be current with the submission of annual financial statements to receive 8(a) contract awards, we **will not** send search/requirement letters or accept any requirements for firms who are delinquent in submitting their annual statements. Also remember that failure to submit annual financial statements is also grounds for termination from the 8(a) program.

Another marketing tool that you may wish to investigate in the "bid matching" services offered by the two New Jersey Procurement & Technical Assistance Centers (PTAC). 8(a) FIRMS E-MAIL LIST #3 procurement opportunity databases such as FedBizOpps for you. They look for matches between your firm and potential opportunities, and then advise you via email when they're identified. For more information on the PTAC bid matching services, firms located in Union County should contact the PTAC located in the Union County Economic Development Corporation at 908-527-1166. Firms located elsewhere in New Jersey should contact the PTAC located at the New Jersey Institute of Technology (NJIT) at 973-596-5807 for information on their services.

Please contact your BDS if you have any questions regarding the above.